

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 41587-406
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/564,716
INTERNATIONAL APPLICATION NO. PCT/EP2004/07893	INTERNATIONAL FILING DATE 07/15/2004	PRIORITY DATE CLAIMED 07/15/2003
TITLE OF INVENTION <u>ADJUSTER FOR THE VERTICAL ADJUSTMENT OF A HEAD RESTRAINT</u>		
APPLICANT(S) FOR DO/EO/US Robert Kopetsky, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> A Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A of power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: 		
Certified Copy of Priority Documents DE103 32 097.0; DE103 39 000.6; DE203 15 594.7		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/564,716		INTERNATIONAL APPLICATION NO. PCT/EP2004/07893		ATTORNEY'S DOCKET NUMBER 41587-406	
The following fees are submitted:				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic fee \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....(0) All other situations.....\$200				\$	
23. <input type="checkbox"/> Search Fee Search fee (37 CFR 1.44(a)(2)) has been paid on the international application to the US PTO as an International Searching Authority(0) International Search Report prepared and provided to the Office.....\$400 All other situations\$500				\$	
TOTAL OF 21, 22 AND 23=				\$0.00	
<input type="checkbox"/> Additional fee for specification and drawings files in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
-100=	/50=			X \$250	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		- 20 =		x \$ 50	
Independent claims		- 3 =		x \$200	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
				SUBTOTAL =	\$0.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0.00	
				TOTAL NATIONAL FEE =	\$0.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$0.00	
				TOTAL FEES ENCLOSED =	\$0.00
Other: Surcharge fee for late submission of signed Declaration				Amount to be refunded: charged:	\$ 130.00
a. <input checked="" type="checkbox"/> A check in the amount of \$130.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 08-3460 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3460. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to review (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Rebecca J. Brandau, Reg. No. 33,654					
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St. Louis, MO 63105					
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06/02/2006 GFREY1 00000068 10564716					
01 F0:1617 130.00 OP					

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page 2 of 2


 Agent's Signature
 Date: May 30, 2006

In the United States Patent and Trademark Office

In the application of:)	Examiner: TBA
Robert Kopetzky)	
)	
Application No.: 10/564,716)	Group Art Unit: TBA
)	
Int'l. Filing Date: 07/15/2004)	Attorney Docket No.: 41587-406
)	
Entitled: Adjuster for the Vertical)	
Adjustment of a Head Restraint)	

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

On April 18, 2006, a Notification of Missing Requirements under 35 U.S.C. in the United States Designated/Elected Office (DO/EO/US) ("Notice") was mailed to Applicant, indicating the oath or declaration was missing. In response, attached hereto is a copy of the Notice and signed Declaration.

A check in the amount of \$130.00 for filing this Response is enclosed. The Office is authorized to charge any additional fees and/or credit any overpayment to deposit account number 08-3460. A duplicate copy of this sheet is enclosed.



Rebecca J. Brandau, 33,654
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Customer No. 029493



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,716	Robert Kopetzky	41587-406

29493
 HUSCH & EPPENBERGER, LLC
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RECEIVED

APR 24 2006

Husch-Eppenberger LLC

INTERNATIONAL APPLICATION NO.

PCT/EP04/07893

I.A. FILING DATE	PRIORITY DATE
07/15/2004	07/15/2003

CONFIRMATION NO. 1614
 371 FORMALITIES LETTER



OC000000018546669

Date Mailed: 04/18/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/13/2006
- English Translation of the IA filed on 01/13/2006
- Copy of the International Search Report filed on 01/13/2006
- Copy of IPE Report filed on 01/13/2006
- Copy of Annexes to the IPER filed on 01/13/2006
- English Translation of Annexes to the IPE filed on 01/13/2006
- Preliminary Amendments filed on 01/13/2006
- Request for Immediate Examination filed on 01/13/2006
- U.S. Basic National Fees filed on 01/13/2006
- Priority Documents filed on 01/13/2006

Action: file response
 DOCKETED/H&E
 Due Date: 6/18/06; 10/18/06
 By: deb 4/24/06
 2d Check: _____

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,716	PCT/EP04/07893	41587-406

FORM PCT/DO/EO/905 (371 Formalities Notice)